



Montgomery County, Maryland

## COUNTY COUNCIL AGENDA

COUNCIL HEARING ROOM, 100 MARYLAND AVENUE, ROCKVILLE, MARYLAND 20850  
240/777-7900 • TTY 240/777-7914 • FAX 240/777-7989 • [www.montgomerycountymd.gov/council](http://www.montgomerycountymd.gov/council)

*The Council Agenda is subject to change any time after printing or during the Council meeting. Please contact the Council Office or visit our website to obtain updates.*

*This meeting will be televised live on Channel 6; repeated on 4/28/06 at 8 pm and 4/29/06 at 9 am*

**Tuesday, April 25, 2006**

9:30 **INVOCATION** - Rabbi Greg Harris, Congregation Beth El of MC, Bethesda

9:35 **PRESENTATION** - Golden Shovel Awards by Councilmember Floreen

9:40 **GENERAL BUSINESS**

- (1) A. **Announcement** - Agenda and Calendar Changes (Lauer)
- B. **Acknowledgement** - Receipt of Petitions (Lacefield)
- C. **Action** - Approval of Minutes: April 4, 5 and 6, 2006 (Lauer)

(2) 9:45 **CONSENT CALENDAR**

- A. **Receipt and Release** - Office of Legislative Oversight Report 2006-6, Base Budget  
Review of the Office of Human Rights (Richards/Langevin)  
*HHS Committee worksession tentatively scheduled for 5/1/06.*
- C. **Action** - Resolution to extend time until May 15, 2006 for Council action to indicate intent regarding the actions necessary to implement amendments to the Collective Bargaining Agreement with the Municipal & County Government Employees' Organization (MCGEO), Local 1994 (Faden)
- D. **Action** - Amendments to Ten-Year Comprehensive Water Supply and Sewerage Systems Plan: water and sewer category changes (Levchenko)

(2) 9:45 **CONSENT CALENDAR** *(continued)*

- E. **Action** - Resolution to establish the FY07 Work Program of the Interagency Public Information Working Group (Lacefield)  
*MFP Committee recommends approval.*
- F. **Action** - Resolution to establish the FY07 Work Program of the Interagency Procurement Coordinating Committee (Healy)  
*MFP Committee recommends approval.*
- G. **Action** - Supplemental appropriation to the County Government's FY06 Operating Budget, Department of Public Works and Transportation - \$4,163,830 for Division of Transit Services (Source: Mass Transit Fund) (Orlin)  
*T&E Committee recommendation will be available 4/20/06.*
- H. **Action** - Supplemental appropriation to the County Government's FY06 Operating Budget, Department of Health and Human Services - \$181,640 for Behavioral Health and Crisis Services, Shelter Services Program (Source: General Fund Undesignated Reserves) (McGuire)  
*HHS Committee recommends approval.*
- I. **Action** - Resolutions to amend Resolution 15-1015 for the FY06 Designation of Entities for Non-Competitive Award Status for the following: (McGuire)  
• Community Ministry and Coalition for the Homeless  
• Collaboration Council for Children, Youth, and Families  
*HHS Committee recommends approval.*
- J. **Action** - Resolution to appoint members of the Ad Hoc Agricultural Policy Working Group (Ferber)
- K. **Action** - Resolution to authorize Variable Rate Demand Note Program (Sherer)
- L. **Action** - Confirmation of County Executive appointments to the Commission on Landlord-Tenant Affairs: Clifton O. Bell, William J. Goodwin (Ferber)
- M. **Action** - Confirmation of County Executive appointments to the County-wide Recreation Advisory Board: Kathleen Curtis Fiskien, George Aman, Barbara A. Carry (Ferber)
- N. **Action** - Confirmation of County Executive's appointee for Minority, Female, Disabled Business Affairs Manager, Department of Economic Development: Katie Knowlin (Ferber)
- O. **Action** - Confirmation of County Executive appointment to the Noise Control Advisory Board: Paul Shang (Ferber)

(2) 9:45 **CONSENT CALENDAR** *(continued)*

- P. **Action** - Confirmation of County Executive appointments to the Silver Spring Transportation Management District Advisory Committee: Ali Mahmood, Julian M. Leidman, Catherine S. Wilde (Ferber)
- Q. **Action** - Confirmation of County Executive appointments to the Upcounty Recreation Advisory Board: Lou Sousa, Tim Truman, Robert D. Caverly (Ferber)
- R. **Action** - Confirmation of County Executive appointments to the Western Montgomery County Citizens Advisory Board: Sandra-Lee El-Haj, Alan M. Freeman, Ann Hill, John C. Alexander, Sue F. Knapp (Ferber)

**LEGISLATIVE SESSION Day # 14**

- A. Approval of Legislative Journal: April 4, 2006 (Lauer)
- B. Introduction of Bills
- (2.5) • **Bill 17-06**, Buildings - Energy Efficiency and Environmental Design, sponsored by Council President Leventhal (Boucher)  
*Public Hearing is scheduled for 6/20/06 at 1:30 pm.*

9:50 **WORKSESSION/ACTION on the following:**

- (3) A. Compensation and Benefits (all agencies) (Farber)  
*MFP Committee recommendation will be available 4/20/06.*
- (4) 10:10 **BRIEFING** - Moderately Priced Dwelling Unit (MPDU) Compliance (McMillan)

10:40 **DISTRICT COUNCIL SESSION**

- (5) A. **Introduction** - Zoning Text Amendment 06-12, Moderately Priced Dwelling Units (MPDUs) - Corner Lots, sponsored by Councilmember Floreen (Wilson)  
*Action - Resolution to establish public hearing for 6/13/06 at 1:30 pm.*
- (6) B. **Introduction** - Zoning Text Amendment 06-13, Established Building Line - Revisions, sponsored by District Council at the request of the County Executive (Wilson)  
*Action - Resolution to establish public hearing for 6/13/06 at 1:30 pm.*
- (7) C. **Action** - Resolution to approve City of Gaithersburg Annexation Petition for Crown Farm (Wilson)  
*PHED Committee recommends approval.*

12:15 **RECESS**

- (8) 1:30 **PUBLIC HEARING** - Zoning Text Amendment 06-08, Accessory Buildings - One-Family Residential Zones (Wilson)  
*PHED Committee worksession will be scheduled at a later date.*
- (9) 1:30 **PUBLIC HEARING** - Supplemental appropriation to the County Government's FY06 Capital Budget and amendment to the FY05-10 Capital Improvements Program, Montgomery County Fire and Rescue Service - \$30,750,000 for Fire Apparatus Replacement (Source: Certificates of Participation) (Davidson)  
*PS/MFP Committee worksession tentatively scheduled for later today.*
- 1:45 **ADJOURN**
- 2:00 **PS/MFP Committee** (7th floor Council Hearing Room)  
2:00 **T&E Committee** (3rd floor Council Conference Room)
- (10) 7:30 **PUBLIC HEARING - Expedited Bill 4-06**, Commission on Human Rights - Discrimination in Housing - Repeal (Healy)  
*HHS Committee worksession will be scheduled at a later date.*

**Thursday, April 27, 2006**

- 7:30 **PUBLIC HEARING by MFP Committee** on the following:
- **Expedited Bill 6-06**, Property Tax Credits - Revisions (Faden)
  - Resolutions to set amount of Property Tax Credit for Income Tax Offset (Faden)
  - Resolution to amend Fuel/Energy tax rates (Faden)
  - Resolution to amend fees for the administration and enforcement of Sign Permits and Licenses, and add fees for signs subject to MNCPPC site plans (Levchenko)
  - Resolution to establish fees for Nonconforming Use Certification (Levchenko)
  - Resolution to establish FY07 Solid Waste Service Charges (Levchenko)
  - Resolution to establish FY07 Water Quality Protection Charge (Levchenko)
  - Resolution to amend FY07 Transportation Fees, Charges, and Fares (Orlin)
  - Intent to consider increasing FY07 General Fund tax rate above the Constant Yield Tax Rate (CYTR) (Sherer)

### FUTURE COUNCIL MEETINGS

County Council meeting notices are posted on the bulletin board in the fifth floor lobby of the Council Office Building in Rockville, pursuant to State law.

**Note: See the COMMITTEE AGENDA for a listing of the Committee meetings currently scheduled.**

|                    |          |  |
|--------------------|----------|--|
| May 2, 2006        | 9:30 am  | Regular Session                                |
| May 8, 2006        | 9:30 am  | Council Budget Worksession                     |
| May 9, 2006        | 9:30 am  | Regular Session and Council Budget Worksession |
| May 9, 2006        |          | Meeting re: Bi-County Budgets                  |
| May 10, 2006       | 9:30 am  | Council Budget Worksession                     |
| May 11, 2006       | 9:30am   | Council Budget Worksession                     |
| May 11, 2006       | 3:00 pm  | Bi-County Meeting at WSSC                      |
| May 15, 2006       | 9:30 am  | Council Budget Worksession                     |
| May 16, 2006       | 9:30 am  | Regular Session and Council Budget Worksession |
| May 17, 2006       | 9:30 am  | Council Budget Worksession                     |
| May 18, 2006       | 9:30 am  | Council Budget Worksession                     |
| May 25, 2006       | 10:00 am | Council Budget - Action                        |
| May 29, 2006       |          | HOLIDAY  |
| May 30-Jun 9, 2006 |          | RECESS   |

### FUTURE PUBLIC HEARINGS

To testify call 240-777-7931

#### April 27, 2006

|         |   |
|---------|---|
| 7:30 pm | Resolutions to set amount of Property Tax Credit for Income Tax Offset  |
| 7:30 pm | Resolution to establish FY07 Solid Waste Service Charges  |
| 7:30 pm | Resolution to amend Fuel/Energy tax rates   |
| 7:30 pm | Resolution to establish FY07 Water Quality Protection Charge  |
| 7:30 pm | Resolution to amend FY07 Transportation Fees, Charges, and Fares  |
| 7:30 pm | Intent to consider increasing FY07 General Fund tax rate above the Constant Yield Tax Rate (CYTR)   |
| 7:30 pm | Resolution to amend fees for the administration and enforcement of Sign Permits and Licenses, and add fees for signs subject to MNCPPC site plans |
| 7:30 pm | Resolution to establish fees for Nonconforming Use Certification  |
| 7:30 pm | <b>Expedited Bill 6-06</b> , Property Tax Credits - Revisions   |

#### May 2, 2006

|         |  |
|---------|--|
| 1:30 pm | ZTA 06-09, Corrective Map Amendment - Split-zoned property   |
| 1:30 pm | ZTA 06-10, Subordinate Structure - Revisions   |
| 1:30 pm | Supplemental appropriation to the County Government's FY06 Operating Budget, DHHS, Public Health Services - \$195,060 for the Housing Opportunities for Persons Living with Aids Program Grant |
| 7:30 pm | Options for Seven Locks Elementary School Replacement  |

#### May 9, 2006

|         |  |
|---------|--|
| 1:30 pm | <b>Bill 07-06</b> , Special Capital Improvements Project - Clarksburg Fire Station         |
| 1:30 pm | <b>Bill 08-06</b> , Special Capital Improvements Project - East Germantown Fire Station    |
| 1:30 pm | <b>Bill 09-06</b> , Special Capital Improvements Project - Animal Shelter                  |
| 1:30 pm | <b>Bill 10-06</b> , Special Capital Improvements Project - North County Maintenance Depot  |
| 1:30 pm | <b>Bill 11-06</b> , Special Capital Improvements Project - Gaithersburg Library Renovation |
| 1:30 pm | <b>Bill 12-06</b> , Transmission Facility Coordination                                     |
| 1:30 pm | <b>Expedited Bill 14-06</b> , Personnel - Salary Schedules - Medical Doctors               |
| 1:30 pm | <b>Expedited Bill 16-06</b> , Fire and Rescue Services - Training Standards                |

**FUTURE PUBLIC HEARINGS (continued)**  
**To testify call 240-777-7931**

**May 9, 2006 (continued)**

- 1:30 pm Supplemental appropriations to the County Government's FY06 Capital Budget and amendment to the FY05-10 CIP, DHCA
- \$199,000 for Fenton Street Village Pedestrian Linkages
  - \$199,000 for Long Branch Pedestrian Linkages
  - \$746,000 for South Silver Spring Pedestrian Linkages
- 1:30 pm Special appropriation to MCPS' FY06 Capital Budget and amendment to the FY05-10 CIP - \$2,100,000 for Replacement and Removal of Relocatable Classrooms

**June 13, 2006**

- 1:30 pm ZTA 06-11, Wheaton Overlay Zone - Revisions
- 1:30 pm **Bill 15-06**, Offenses - Loitering



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### ADDENDUM

Tuesday, April 25, 2006

(2) 9:45 CONSENT CALENDAR

- Add:** S. **Introduction** - Resolution to approve Mutual Aid Agreement with the Maryland-National Capital Park Police (Boucher)  
*Public Hearing is scheduled for 5/9/06 at 1:30 pm.*
- Add:** T. **Introduction** - Resolution to amend the County's Energy Policy regarding clean and renewable energy and energy efficiency, sponsored by Council President Leventhal (Ervin)